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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/819,180	03/27/2001	Michail Petropoulos	ENOS0001	3827
22862	7590	12/14/2005	EXAMINER	
GLENN PATENT GROUP 3475 EDISON WAY, SUITE L MENLO PARK, CA 94025			NGUYEN, CINDY	
			ART UNIT	PAPER NUMBER
			2161	

DATE MAILED: 12/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/819,180

Applicant(s)

PETROPOULOS ET AL.

Examiner

Cindy Nguyen

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09/20/05.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21 and 30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 1-20, 22-29 and 31-38 is/are allowed.
- 6) ☒ Claim(s) 21 and 30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This is in response to communication filed 09/20/05.

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 21 and 30 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: all the limitations in claims 21 and 30 are being incompleted such omission amounting to a gap between the necessary structural connections . correction is required.

Claim 21 is recites the limitation "the controls". There is insufficient antecedent basis for this limitation in the claim.

Claims 21 and 30 are recites the limitation "assembler". There is insufficient antecedent basis for this limitation in the claim.

Claims 21 and 30 are recites the limitation "annotations". There is insufficient antecedent basis for this limitation in the claim.

Claims 21 and 30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 21 and 30, it is unclear which controls that a compiler including access to; "query assembler" and "the assembler" they are the same one or they are different ?

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 21 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ewald et al. (US 2003/0014384) (Ewald) in view of Levy et al. (US 5600831) (Levy).

Regarding claims 21 and 30, Ewald discloses: a query processing platform comprising: multiple control schemas (35 and 53, fig. 2 and paragraphs 0046-0049, Ewald) and multiple query form controls each comprising an instance of one of the control schemas (0040, Ewald); one or more query form schema and multiple query form annotations each comprising an instances of one of the query form schemas

(0040, Ewald); a data schema (300, fig. 13A, Ewald); appearance templates (fig. 9-12, Ewald); a run-time engine including a query rendering engine and a query assembler and subquery generators accessible by the assembler and the compiler (60 fig. 2, Ewald); a compiler including access to the controls, annotations and appearance templates (0041-0042, Ewald). However, Ewald didn't disclose subquery generators accessible by the assembler and the compiler. On the other hand, Levy discloses: subquery generators accessible by the assembler and the compiler (col. 27, lines 62 to col. 28, lines 14, Levy). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include subquery generators accessible by the assembler and the compiler in the system of Ewald as taught by Levy. The motivation being to enable the system provided a dynamic query plans, where the query plan generation phase interacts with the plan execution phase so the query plan is generated completely at compile time and is not modified at runtime.

Allowable Subject Matter

Claims 1-20, 22-29 and 31-38 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record and that encountered while searching for the claimed invention fails to anticipate and/or suggest: a method and system for constructing a query system for use with a body of data comprising operations of compiling the query form annotation, comprising: providing multiple control schemas and each control

Art Unit: 2161

schema prescribing constituent components of query form controls providing instances of that control schema, the prescribed components of each control schema comprising: mapping between the specified appearance template and the data schema and between the specified subquery generator and the data schema as recited in claims 1, 10, 19, 22, 26, 28, 29 and 28.

The prior art of record and that encountered while searching for the claimed invention fails to anticipate and/or suggest: a method and system for constructing a query system for use with a body of data comprising operations of compiling the query form annotation, comprising: providing one or more query form schemas prescribing constituent components of corresponding query form annotations that provide instances of the query form schemas, said components comprising: mapping between the specified appearance template and the data schema and between the specified subquery generator and the data schema as recited in claims 11, 18, 2, 31, 35, 37 and 38.

Regarding claims 2-9, 12-17, 23-25, 32, 33, 36 and 34, these claims depend from claims 1, 11, 22, 27, 31 and 35 respectively and are therefore allowable.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rauer et al. (U.S 6161103). Method and apparatus for creating aggregates for use in a datamart.

Blinn et al. (U.S 6484150). Electronic shopping and merchandising system accessing legacy data in a database independent schema manner.


Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 703-305-4698. The examiner can normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.


Cindy Nguyen
December 5, 2005


FRANTZ COBY
PRIMARY EXAMINER